



Entered on Docket
July 06, 2006

A handwritten signature in black ink that reads "Bruce A. Markell".

Hon. Bruce A. Markell
United States Bankruptcy Judge

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Proposed Attorneys for Debtors and Debtors-in-Possession

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re:
USA COMMERCIAL MORTGAGE COMPANY,

Debtor.

Case No. BK-S-06-10725 LBR
Case No. BK-S-06-10726 LBR
Case No. BK-S-06-10727 LBR
Case No. BK-S-06-10728 LBR
Case No. BK-S-06-10729 LBR
Chapter 11

In re:
USA CAPITAL REALTY ADVISORS, LLC,

Debtor.

Jointly Administered Under
Case No. BK-S-06-10725 LBR

In re:
USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC,

Debtor.

**ORDER GRANTING DEBTORS'
MOTION TO TEMPORARILY HOLD
FUNDS PENDING A
DETERMINATION OF THE PROPER
RECIPIENTS
(AFFECTS ALL DEBTORS)**

In re:
USA CAPITAL FIRST TRUST DEED FUND, LLC,

Debtor.

In re:
USA SECURITIES, LLC,

Debtor.

1 Affects:

- All Debtors
- USA Commercial Mortgage Company
- USA Capital Realty Advisors, LLC
- USA Capital Diversified Trust Deed Fund, LLC
- USA Capital First Trust Deed Fund, LLC
- USA Securities, LLC

2 Date: June 15, 2006

3 Time: 9:30 a.m.

5 The Motion To Temporarily Hold Funds Pending A Determination Of The Proper Recipients (the
 6 "Motion") having come before this Court on June 15, 2006; the Debtors, USA Commercial Mortgage
 7 Company ("USACM"), USA Securities, LLC ("USA Securities"), USA Capital Realty Advisors, LLC
 8 ("USA Realty"), USA Capital Diversified Trust Deed Fund ("USA Diversified"), and USA Capital First
 9 Trust Deed Fund ("USA First") (collectively referred to as "Debtors") appearing by and through their
 10 counsel, Ray Quinney & Nebeker P.C. and Schwartzer & McPherson Law Firm, the Official Committee of
 11 Equity Security Holders of USA Capital First Trust Deed Fund, LLC appearing by and through their
 12 counsel Frank Merola, Esq. of Stutman Treister & Glatt, the Official Committee of Equity Security Holders
 13 of USA Capital Diversified Trust Deed Fund LLC appearing by and through their counsel Marc A.
 14 Levinson, Esq. of Orrick Herrington & Sutcliffe, the Committee of Unsecured Creditors of USA
 15 Commercial Mortgage Company appearing by and through their counsel Susan Freeman, Esq. of Lewis
 16 and Roca, LLP, Susan Scann, Esq. of Deaner Deaner Scann Malan & Larsen appearing on behalf of
 17 Franklin/Stratford Investment LLC, it is hereby

18 ORDERED that the Motion To Temporarily Hold Funds Pending A Determination Of The Proper
 19 Recipients is granted and will be continued for a status hearing on August 4, 2006 at 1:30 p.m.

20 Submitted by:

21 
 22 Leonard E. Schwartzer, Nevada Bar No. 0399
 23 Jeanette E. McPherson, Nevada Bar No. 5423
 24 SCHWARTZER & MCPHERSON LAW FIRM
 25 2850 South Jones Boulevard, Suite 1
 26 Las Vegas, Nevada 89146

27 and

28 Annette W. Jarvis, Utah Bar No. 1649
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 2 **DETERMINATION OF THE PROPER RECIPIENTS**
 3 **(AFFECTS ALL DEBTORS)**

4 Approved / Disapproved by

Approved/Disapproved by:
 5 DEANER DEANER SCANN MALAN & LARSEN

6 By:

7 Office of the U.S. Trustee
 8 Foley Federal Building
 9 300 Las Vegas Blvd. South, Suite 4300
 10 Las Vegas NV 89101

11 By: _____
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 15 *Attorney for Party In Interest*
 16 *Franklin/Stratford Investment LLC*

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 18 LEWIS AND ROCA, LLP

19 Approved/Disapproved by:
 20 GORDON & SILVER, LTD.

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 27 *Creditors of USA Commercial Mortgage Company*

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 34 *Executory Contract Rights of USA Commercial*
 35 *Mortgage Company*

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 37 ORRICK, HERRINGTON & SUTCLIFFE LLP

38 Approved/Disapproved by:
 39 BECKLEY SINGLETON, CHTD.

40 By: _____

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 46 *Security Holders of USA Capital Diversified Trust*
 47 *Deed Fund, LLC*

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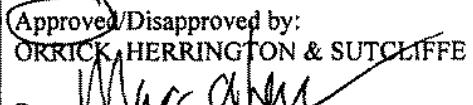
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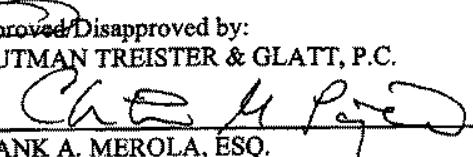
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ALTERNATIVE METHOD re: RULE 9021:

In accordance with Local Rule 9021, the undersigned certifies:

The court waived the requirements of LR 902.1.

I delivered a copy of this proposed order on June 26, 2006 to all attorneys and unrepresented parties who appeared at the hearing regarding this matter and/or who filed a written objection and each has:

approved the form of this order:

waived the right to review the order and/or

failed to file and serve papers in accordance with LR 9021(c)

_____ I have delivered a copy of this proposed order to all attorneys and unrepresented parties who appeared at the hearing regarding this matter and/or who filed a written objection and all have either approved the form of this order, waived the right to review the order, failed to file and serve papers in accordance with LR 9021(c) and the following have disapproved the form of the order:

No opposition was filed to the motion and no other party or counsel appeared at the hearing.

Submitted by:

/s/ *JEANETTE E. MCPHERSON*

Lenard E. Schwartzer, Nevada Bar No. 0399

Jeanette E. McPherson, Nevada Bar No. 5423

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